United Nations A/HRC/RES/34/33

General Assembly

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7 April 2017

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Human Rights Council
Thirty-fourth session
27 February–24 March 2017
Agenda item 9

Resolution adopted by the Human Rights Council on 24 March 2017

34/33. Establishment of a forum on people of African descent

The Human Rights Council,

Recalling General Assembly resolution 56/266 of 27 March 2002, in which the Assembly endorsed the Durban Declaration and Programme of Action, reaffirming the commitments contained therein with regard to people of African descent, and recalling also all previous Human Rights Council resolutions on the comprehensive follow-up to the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action,

Recalling also Human Rights Council resolution 30/17 of 2 October 2015 on a forum on people of African descent in the diaspora,

Recalling further all its previous resolutions on the global elimination of the scourges of racism and racial discrimination,

Bearing in mind General Assembly resolution 69/16 of 18 November 2014, in which the Assembly adopted the programme of activities for the implementation of the International Decade for People of African Descent,

1. *Invites* the President of the General Assembly to facilitate, during the seventy-first session, a resolution on the establishment of a forum on people of African descent;

2. *Recommends* that the General Assembly establish a forum on people of African descent, in accordance with the recommendation contained in paragraph 29 (i) of the programme of activities for the implementation of the International Decade for People of African Descent,[1] the modalities of which should reflect the views and preferences of the communities concerned.

[1] General Assembly resolution 69/16, annex.

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3. *Decides* to allocate three days of the annual session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action to the forum on people of African descent, in accordance with the recommendation contained in paragraph 29 (i) of the programme of activities for the implementation of the International Decade for People of African Descent;

4. *Recommends* that the General Assembly invite States located in the regions where people of African descent live and of which they are citizens to offer to host regional conferences on the establishment of the forum, with the participation of people of African descent, with a view to making substantive contributions on the format, structure and content of the proposed forum;

5. *Encourages* all States, intergovernmental and non-governmental organizations, private institutions and individuals, and other donors in a position to do so, to contribute generously to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination with a view to contributing to the successful implementation of the programme;

6. *Decides* to remain seized of this priority matter.

58th meeting
24 March 2017

[Adopted without a vote.]

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Resolution adopted by the Human Rights Council on 24 March 2017

34/34. Mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action

The Human Rights Council,

Recalling General Assembly resolution 56/266 of 27 March 2002, in which the Assembly endorsed the Durban Declaration and Programme of Action,

Recalling also Commission on Human Rights resolutions 2002/68 of 25 April 2002 and 2003/30 of 23 April 2003,

Recalling further Human Rights Council resolutions 1/5 of 30 June 2006, 11/12 of 18 June 2009 and 22/30 of 22 March 2013, in which the Council renewed and extended the mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action,

Encouraging the Working Group to enhance its efforts towards the effective realization of its mandate, and to report regularly in this regard to the Human Rights Council and the General Assembly,

1. *Decides* to renew the mandate of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action for a further period of three years;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to make the report of the Working Group on its fourteenth session available in order to enable the Chair-Rapporteur to present it to the Human Rights Council at its thirty-fifth session;

3. *Requests* the Secretary-General and the High Commissioner to provide the Working Group with all the human, technical and financial assistance necessary for the effective implementation of its mandate;

4. *Decides* to remain seized of this priority matter.

58th meeting
24 March 2017

GE.17-05686(E)
1705686

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[Adopted by a recorded vote of 46 to 1, with no abstentions. The voting was as follows:

In favour:

Albania, Bangladesh, Belgium, Bolivia (Plurinational State of), Botswana, Brazil, Burundi, China, Congo, Côte d'Ivoire, Croatia, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Georgia, Germany, Ghana, Hungary, India, Indonesia, Iraq, Japan, Kenya, Kyrgyzstan, Latvia, Mongolia, Netherlands, Nigeria, Panama, Paraguay, Philippines, Portugal, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Slovenia, South Africa, Switzerland, Togo, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of)

Against:

United States of America]

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Resolution adopted by the Human Rights Council on 24 March 2017

34/35. Mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The Human Rights Council,

Recalling its resolution 7/34 of 28 March 2008 and all its resolutions on the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including those of the Commission on Human Rights,

Recalling also its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Decides* to renew the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance for a further period of three years, in accordance with the terms of reference contained in Human Rights Council resolution 7/34;

2. *Encourages* the Special Rapporteur to continue with the execution of the mandate, particularly in the light of the current resurgent manifestations of all the scourges of racism, some of which have taken violent forms;

3. *Requests* the Special Rapporteur to submit an annual report to the Human Rights Council and to the General Assembly on all activities relating to the mandate with a view to maximizing the benefits of the reporting process;

4. *Requests* the United Nations High Commissioner for Human Rights to allocate the resources necessary to the Special Rapporteur for the effective implementation of the mandate;

GE.17-05672 (E)
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5. *Decides* to remain seized of this priority matter.

58th meeting
24 March 2017

[Adopted without a vote.]

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27 February–24 March 2017
Agenda item 9

Resolution adopted by the Human Rights Council on 24 March 2017

34/36. Elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination

The Human Rights Council,

Recalling General Assembly resolution 56/266 of 27 March 2002, in which the Assembly endorsed the Durban Declaration and Programme of Action,

Recalling also all its previous resolutions on the elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination,

Recalling further relevant General Assembly resolutions, in particular Assembly resolution 71/181 of 19 December 2016,

Recalling in the above context paragraph 5 of General Assembly resolution 71/181,

1. *Decides* to implement the request of General Assembly contained in its resolution 71/181 by requesting the Chair-Rapporteur of the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination to ensure the commencement of the negotiations on the draft additional protocol to the Convention criminalizing acts of a racist and xenophobic nature during the tenth session of the Ad Hoc Committee;

2. *Also decides* to remain seized of this priority matter.

58th meeting
24 March 2017

[Adopted by a recorded vote of 31 to 4, with 12 abstentions. The voting was as follows:

In favour:

Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, Burundi, China, Congo, Côte d'Ivoire, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Ghana, Indonesia, Iraq, Kenya, Kyrgyzstan, Mongolia, Nigeria, Panama,

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1705669

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Paraguay, Philippines, Qatar, Rwanda, Saudi Arabia, South Africa, Togo, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of)

Against:

Germany, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Belgium, Croatia, Georgia, Hungary, India, Japan, Latvia, Netherlands, Portugal, Republic of Korea, Slovenia]

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Agenda item 10

Resolution adopted by the Human Rights Council on 24 March 2017

34/37. Cooperation with Georgia

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and other relevant international human rights instruments,

Bearing in mind relevant regional instruments, in particular the European Convention for the Protection of Human Rights and Fundamental Freedoms,

Reaffirming its commitment to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders,

Reaffirming also the primary responsibility of States to promote and protect human rights and fundamental freedoms,

Recognizing the importance of the Geneva international discussions as an instrument for addressing security, stability, human rights and humanitarian issues,

Welcoming the cooperation of the Government of Georgia with the Office of the United Nations High Commissioner for Human Rights, its office in Tbilisi, and other relevant international and regional human rights mechanisms and actors,

Welcoming also the cooperation of the Government of Georgia with the special procedures of the Human Rights Council, in accordance with its standing invitation, noting with appreciation the participation of Georgia in the universal periodic review process in November 2015, and welcoming its commitment to implement the recommendations made by United Nations and regional mechanisms, including universal periodic review recommendations,

Recognizing with appreciation the efforts of the Government of Georgia to strengthen democracy, the rule of law and the promotion and protection of human rights,

Noting the statement made by the High Commissioner to the Human Rights Council on 13 September 2016, where he expressed deep concern at the repeated refusals to permit

staff of the Office of the High Commissioner access to Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia,

Expressing serious concern at the human rights and humanitarian situation in those regions of Georgia,

Concerned about reported kidnappings, arbitrary detention, interference with property rights, restrictions on access to education in one's native language, free movement and residence, as well as continued discrimination on the grounds of ethnic origin in both regions,

Expressing concern that internally displaced persons and refugees continue to be deprived of the right to return to their homes in a safe and dignified manner,

Expressing serious concern at the repeated denial of access to international and regional monitors, including United Nations human rights mechanisms, to both Georgian regions, by those in control of those regions,

Bearing in mind the statement made by the High Commissioner regarding the situation in both regions, during the most recent visit of the High Commissioner to Georgia, in May 2014, and the denial of permission to visit those regions,

Recognizing in this context the importance of and need for periodic reports of the Office of the High Commissioner for an objective and impartial assessment of the situation of human rights in both Georgian regions,

1. *Requests* the United Nations High Commissioner for Human Rights to continue to provide technical assistance through his office in Tbilisi;

2. *Calls for* immediate access for the Office of the High Commissioner and international and regional human rights mechanisms to Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia;

3. *Requests* the High Commissioner to present to the Human Rights Council, in accordance with its resolution 5/1 of 18 June 2007, an oral update on the follow-up to the present resolution at its thirty-fifth session, and to present a written report on developments relating to and the implementation of the present resolution at its thirty-sixth session.

59th meeting
24 March 2017

[Adopted by a recorded vote of 18 to 5, with 24 abstentions. The voting was as follows:

In favour:

Albania, Belgium, Botswana, Croatia, Georgia, Germany, Ghana, Hungary, Japan, Latvia, Netherlands, Panama, Paraguay,[1] Portugal, Slovenia, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Bolivia (Plurinational State of), Burundi, China, Cuba, Venezuela (Bolivarian Republic of)

Abstaining:

Bangladesh, Brazil, Congo, Côte d'Ivoire, Ecuador, Egypt, El Salvador, Ethiopia, India, Indonesia, Iraq, Kenya, Kyrgyzstan, Mongolia, Nigeria,

[1] The representative of Paraguay subsequently stated that there had been an error in the delegation's vote and that it had intended to abstain.

Philippines, Qatar, Republic of Korea, Rwanda, Saudi Arabia, South Africa, Switzerland, Tunisia, United Arab Emirates]